

FILED
CHARLOTTE, N. C.

OCT 24 2005

U. S. DISTRICT COURT
W. DIST. OF N. C.

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

**ORDER
AND LIS PENDENS**

3:05 MC 327-MU

WHEREAS, the United States of America, by and through Special Agent Rodney Blacknall of the Bureau of Alcohol, Tobacco, Firearms and Explosives, has presented an affidavit to the Court alleging that the above-captioned property was involved in or facilitated controlled substances trafficking and/or money laundering and/or was the proceeds of such criminal activity, in violation of 21 U.S.C. §801 et seq. and/or 18 U.S.C. §§1956-1957; and,

WHEREAS, the Court, having reviewed the affidavit, finds that there is probable cause to believe that the property was involved in or facilitated controlled substances trafficking and/or money laundering and/or was the proceeds of such criminal activity, in violation of 21 U.S.C. §801 et seq. and/or 18 U.S.C. §§1956-1957; and,

WHEREAS, upon this finding of probable cause, the property may be subject forfeiture to the United States pursuant to 18 U.S.C. §981 and/or 21 U.S.C. §881, and the government is entitled to record a lis pendens to give public notice of the government's forfeiture interest and potential civil and/or criminal forfeiture claim against the property;

THEREFORE, the United States is directed forthwith to file this Order and Lis Pendens with the appropriate state or local public depository to prevent the flight or transfer of the property so that the United States may initiate action to adjudicate forfeiture of the property; and,

ALL WHO READ THIS ORDER AND LIS PENDENS TAKE NOTICE that the property may be subject to forfeiture to the United States in a present or future criminal or civil in rem action before this Court, and any person who has a question as to this action should contact:

United States Attorney
for the Western District of North Carolina
Attn: William A. Brafford
227 West Trade Street, Suite 1650
Charlotte, NC 28202
(704) 344-6222

This the 24th day of October, 2005.

I. D. C. K.
UNITED STATES MAGISTRATE JUDGE

TO THE RECORDER OF THIS INSTRUMENT: MAIL ANY AND ALL RECORDED COPIES TO THE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF NORTH CAROLINA AT THE ABOVE ADDRESS.

**AFFIDAVIT OF SPECIAL AGENT RODNEY BLACKNALL-ATF FOR
FORTEITURE OF REAL PROPERTY LOCATED AT 20741 LAGOONA DRIVE,
CORNELIUS, NORTH CAROLINA**

Your affiant, Rodney Blacknall, being duly sworn, deposes and states that:

The affiant is employed as a Special Agent of the Bureau of Alcohol, Tobacco and Firearms, United States Department of Justice and has been so employed for the past fourteen years. As a Special Agent with the Bureau of ATF, the affiant is empowered to investigate alleged violations of the Federal Firearms Laws. The affiant has participated in excess of 100 separate investigations in relation to Federal firearms, money laundering, narcotics, money structuring and the acquisition of property with drug proceeds violations during the course of employment as a Special Agent with the Bureau of Alcohol, Tobacco and Firearms.

The affiant is currently assigned to conduct investigations in the areas of firearms violations and armed drug trafficking violations. As a result of the affiant's investigative efforts, the affiant has obtained in excess of one hundred convictions for violations of these matters. This affidavit is submitted as a request that an Order and Lis Pendens be issued for the home of George Michael Moore and Dianna Gail Moore located at 20741 Lagoona Drive, Cornelius, North Carolina, based on violations of United States Code, Title 21, Section 841.

On 10/10/2005 at approximately 10:15 am the Iredell County Sheriff's Office in conjunction with the Mooresville Police Department, arranged to have Iredell County Sheriff undercover Detective Shusky, purchase a gallon of Gamma Hydroxybutyrate (GHB) from Gary Hunsucker for \$1800. This drug transaction occurred at The Store at Exit 33 in Mooresville, North Carolina. Hunsucker was arrested when he brought the GHB to the undercover detective. Hunsucker showed up at The Store with the GHB and delivered the GHB to the undercover detective. Hunsucker was debriefed and stated that he wanted to cooperate stating that he received the GHB from George Michael Moore who lives in Cornelius, North Carolina and he was selling the GHB for Moore. While in custody Hunsucker contact Moore but would not talk about drugs with him because he was scared of Moore.

Iredell County Sheriff Clarence Harris Jr. contacted Moore via telephone and asked him to voluntarily come to their office for an interview. Moore drove himself to the Iredell County Sheriff's Office in Statesville, North Carolina, and admitted that he supplied Hunsucker with the GHB from the earlier transaction and stated that he has seen GHB being manufactured in Moore's business (Mike Moore Trucking). Moore then gave consent to Deputy Harris to search Moore's residence located at 20741 Lagoona Drive Cornelius, North Carolina, and his business (Mike Moore Trucking) located at 7700 Browne Rd., Charlotte, North Carolina. Mooresville Police Lieutenant Thompson contacted Cornelius Vice Detective Quinn and asked Quinn to meet them at Moore's residence since Quinn has jurisdiction for Cornelius, North Carolina. Moore was then driven by Deputy Harris to the McDonalds restaurant in Cornelius, North Carolina, at

which time Moore was then driven by Mooresville Police Department Lieutenant Thompson to his residence. Moore opened the garage door with a code and opened the inside garage door with a key.

Once inside Moore's residence there were several unknown chemicals in plastic and glass containers on the kitchen counter along with a funnel, bottle of ephedrine pills, and a bottle of isopropyl alcohol. Found in the garage area was a grocery-size bag of match books with the striker plate removed and lithium batteries with the lithium strips removed. Based on his training and experience in methamphetamine investigations, Detective Quinn declared that this residence was a methamphetamine lab and everyone inside the residence was evacuated as per protocol. Detective Quinn called the State Bureau of Investigation to have them assist with the methamphetamine lab. Charlotte Mecklenburg Police Detective Little was also contacted by Detective Dyson of the Mooresville Police Department to assist in the methamphetamine lab investigation. Detective Little is partners with Charlotte Mecklenburg Police Detective Kellough who is a certified by DEA as a clandestine lab investigator.

Charlotte Mecklenburg Detectives Kellough, Little and West went to Moore's residence and waited with State Bureau of Investigations Agent Moody for the State Bureau of Investigation's chemists to arrive on the scene.

Detectives Kellough and Quinn went to the Charlotte Mecklenburg Police Department to draft a search warrant and destruction order as per methamphetamine lab protocol while Moore was then transported to the Iredell County jail for conspiracy to sell and deliver Schedule I (GHB).

Detectives Kellough and Quinn drafted a state search warrant and presented the search warrant to Mecklenburg County Superior Court Judge Gentry Caudill at his residence to sign the search warrant and destruction order.

Charlotte Mecklenburg Detectives Kellough and Little went with Detective Quinn to Moore's residence to execute the search warrant. Once State Bureau of Investigation methamphetamine lab technicians secured all the chemicals and declared that the residence was safe, a further search of the residence was conducted. Found inside the residence was a bullet resistant vest, fully automatic handgun receiver, fully automatic Uzi modification manual, gun components, eight handguns, five long guns, large quantity of ammunition, gun magazines, miscellaneous paperwork including a computer print out on extracting Pseudo-ephedrine from cold and sinus pills, gun receipt, gun boxes, night vision goggles, Hewlett Packard computer. All these items were collected by Detective Quinn.

At the subject property, the State Bureau of Investigation collected the following items, all used in the operation of a methamphetamine lab: acetone, muratic acid, grocery bag of pseudo-ephedrine pills in a broken glass container, grocery bag of matches, lithium batteries, cans of starting fluid, fertilizer, separatory funnel, tincture iodine, rubbing alcohol, coffee filter, mason jars, rock salt, sulfuric acid, strainers,

funnels, and numerous glass jars and plastic containers of unknown chemicals. As per methamphetamine retrieval protocol, all of the chemicals will be sampled, tested and destroyed due to the hazard nature of the chemicals.

On 10/10/2005 Moore admitted to watching GHB being made at his business Mike Moore Trucking. On 10/10/2005 Moore admitted to supplying the GHB to Hunsucker. On 10/10/2005 Hunsucker admitted to picking up the GHB at Moore's residence.

Detective Robson has spoken to numerous Confidential Informants in the Lake Norman area who have stated the following information about Mike Moore:

- Mike Moore has been seen using or possessing quantities of drugs such as GHB, Cocaine, and methamphetamine for the past five to six years.
- Moore has a \$1000 a week GHB habit and methamphetamine habit.
- Moore manufactures GHB and methamphetamine to support his habit and started having financial problems and starting selling methamphetamine and GHB.
- During the past three to four years Moore has had dozens of after hours parties at his residence as described above where there were drugs such as: GHB, methamphetamine, cocaine and marijuana being used inside the residence.
- Everyone at the parties looks like zombies who are "wasted" on drugs.
- Moore is considered one of the biggest drug users and sellers in the Lake Norman area and has been on the police department's investigative list for drug abuse.
- They have seen cocaine and GHB being used on Moore's boat "Savanna Smiles".
- Moore is constantly under the influence of drugs at many establishments in the Lake Norman area.
- Moore is also showing the methamphetamine abuse signs such as decaying teeth and a significant weight loss.
- There are several Lake Norman phrases to describe Moore's drug activities to include if a female was addicted to drugs provided by Moore she is considered "Moored".

The Cornelius Police Department has numerous calls for service at Moore's residence to include:

On 9/6/2005 that Gary Hunsucker was kidnapped by Michael Moore to scare Hunsucker because Hunsucker found a methamphetamine lab at Moore's residence.

Reagent Chemicals and Research Inc. keeps a specific chemical watch list for the Drug Enforcement Administration (DEA) if there are questionable chemicals being purchased that can be used in the manufacturing of methamphetamine. Reagent Chemicals faxed a copy of Moore's account to DEA which included: Ethyl Ether, Sodium Hydroxide, Toluene which are flagged chemicals used in the manufacturing of methamphetamine.

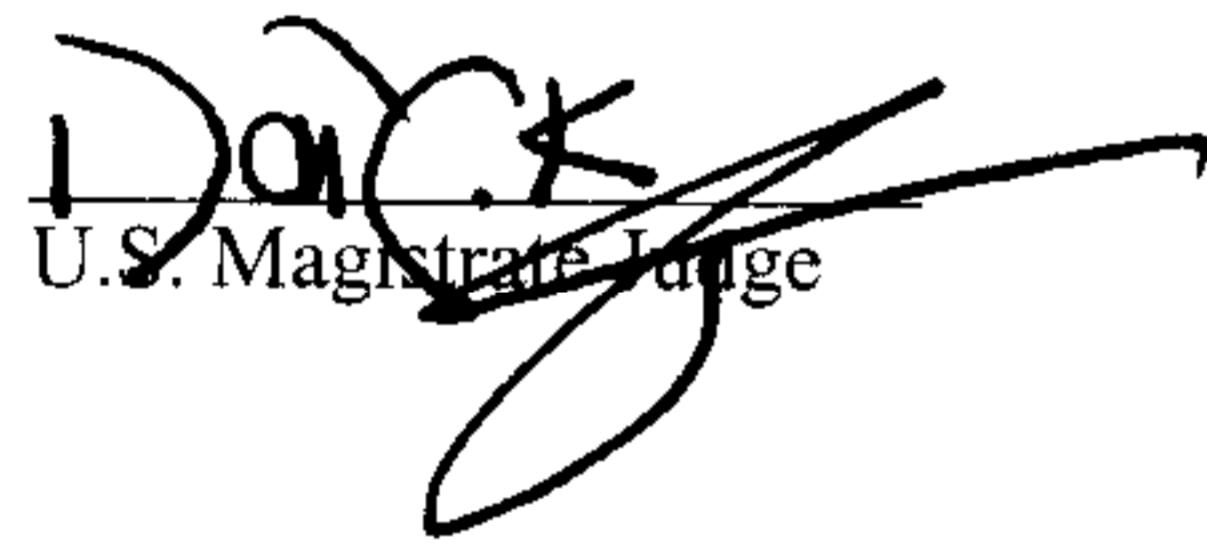
Mecklenburg County Tax records indicate that 20741 Lagoona Drive, Cornelius, North Carolina is listed under Parcel ID number 00170114 and more particularly described as: being all of Lot 45 in Biscayne Park is shown on map thereof recorded in Map Book 10

at pages 183 and 185 of Mecklenburg County Registry. The property consists of approximately .50 acre of land and was purchased for \$125,000 on or about April 11, 1997. A single family residence was constructed on that land in 1997 with a loan of \$300,000 which was granted by Central Carolina Bank and Trust which was satisfied on April 11, 2000. On July 9, 2001 a \$140,000 loan was granted by Washington Mutual Bank. The asset is owned by George Michael Moore and wife Dianna Gail Moore as evidenced by the North Carolina General Warranty Deed filed in Book 9011 Page 559 of the Mecklenburg County Registry. The asset has a 2005 taxable value of \$505,400. The asset is further described as a two-story single family residential dwelling containing 5372 square feet (3772 square feet of heated space), 3 bedrooms, 2 ½ bathrooms, screened in and open porches, finished basement, 2 garages, a pier, dock, boat ramp, storage building and deck.



Rodney Blacknall

Sworn and subscribed before me this 24th day of October, 2005.



~~U.S. Magistrate Judge~~